

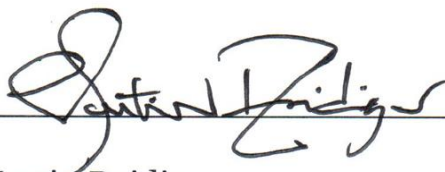
recommendation regarding the Defendants' motion. [Doc. 12]. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has now expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's recommendation that the Defendant's Motion to Dismiss should be denied without prejudice.¹

IT IS, THEREFORE, ORDERED that the Memorandum and Recommendation [Doc. 12] is **ACCEPTED**, and the Defendants' Motion to Dismiss [Doc. 5] is **DENIED WITHOUT PREJUDICE**.

Signed: December 29, 2020

IT IS SO ORDERED.



Martin Reidinger
Chief United States District Judge



¹ The Magistrate Judge also recommended that the Plaintiff be directed to file an Amended Complaint. Subsequent to the entry of the Memorandum and Recommendation, the Plaintiff filed an Amended Complaint. [Doc. 13]. Accordingly, that portion of the Magistrate Judge's recommendation is now moot.